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SEP 29 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christian John COOK

Via Facsimile (703) 872-9306

10 pages

Serial No.: 09/936291

Group Art Unit: 1616

Filed: January 8, 2002

Examiner: Neil S. Levy

For: AGENTS AND METHODS FOR PROMOTING
PRODUCTION GAINS IN ANIMALS

TRANSMITTAL LETTER/REQUEST FOR PTO-1449

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On June 16, 2004 undersigned attorney hand carried an IDS along with a Form PTO-1449 and copies of the references set forth in the PTO-1449. Attached hereto is a copy of the IDS, the PTO-1449 and the dated postcard receipt less the references. It will be clearly seen that the postcard receipt, which is definitive, clearly indicates that the Disclosure Statement, copies of the references and the European Search Report were received by the PTO on June 16, 2004.

There was a telephone discussion with Examiner Levy on September 24 at which time Examiner Levy said he would fax the PTO-1449 received June 16, 2004. Not receiving the PTO-1449 there

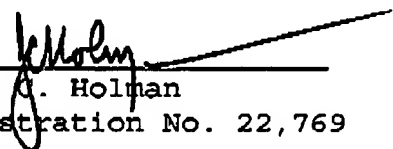
was a further telephone discussion on September 28 at which time Examiner Levy explained that the IDS was not considered because "the European Search Report was not submitted".

As clearly seen from the attached date receipted postcard the European Search Report was submitted and if lost, it was lost by the PTO. Attached hereto is the IDS, European Search Report and the PTO-1449 and since the Examiner has the references and now has the European Search Report which was mailed April 16, 2004, within three months of the filing of the IDS, early receipt of the Form PTO-1449 is requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:


John A. Holman
Registration No. 22,769

400 Seventh Street, N.W.
Washington, DC 20004
(202) 638-6666
Atty. Dkt. No.: P67120US0
Date: September 29, 2004

Enclosures: Date receipted postcard
IDS; PTO-1449; EPO Search Report

Patent 67120450 Today's Date 6/16/04
Patent No. 05/936,291
Applicant, Patentee, Assignee DOCK
Filing Date/Patent Date 1-8-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> <u>pp.</u> Specification & <u>Claims</u>	<input type="checkbox"/> Response to Office Action
<input type="checkbox"/> Combined Declaration, Power of Attorney	<input checked="" type="checkbox"/> Disclosure Statement-IDS
<input type="checkbox"/> Preliminary Amendment	<input checked="" type="checkbox"/> Copies of References
<input type="checkbox"/> Rule 53 (b) Application	<input type="checkbox"/> Request for Reheard
<input type="checkbox"/> Rule 53 (d) /RCE Application	<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Claim to Priority and Certified Copy	<input type="checkbox"/> Petition for XOT
<input type="checkbox"/> Substitute <input type="checkbox"/> Subsequent Declaration	<input type="checkbox"/> Notice of Appeal/Brief
<input type="checkbox"/> Maintenance Fee	<input type="checkbox"/> Sequence Listing
<input type="checkbox"/> Drawings <u>Sheets</u> <u>Formal</u> <u>Informal</u>	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Assignment/Change of Name	<input checked="" type="checkbox"/> Other <u>EUROPEAN</u>
<input type="checkbox"/> Small Entity Declaration	
<input checked="" type="checkbox"/> Check for \$ <u>18000</u>	

JH 1101 DUE DATE 6/16/04
Person filing Verhulst

U.S. PATENT & TRADEMARK OFFICE
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JUN 18 2004
JACOBSON HOLMAN PLLC
100 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

STEVEN RABBIT

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PATENT SEP 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: 2439

Christian John COOK

Group Art Unit: 1616

Serial No.: 09/936,291

Examiner: LEVY, NEIL S.

Filed: January 8, 2002

Atty. Docket No.: P67120US0

For: AGENTS AND METHODS FOR PROMOTING GAINS IN ANIMALS

INFORMATION DISCLOSURE STATEMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As a means of complying with the duty of disclosure under 37 CFR §1.56, and in accordance with 37 CFR §§1.97 and 1.98, Applicant, through the undersigned attorney, submits this Information Disclosure Statement. The patents, publications or other information submitted herewith are listed on the attached Form PTO-1449 and copies are attached.

In accordance with 37 CFR §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under 37 CFR §1.113 or a Notice of Allowance under 37 CFR §1.311 but before the payment of the Issue Fee. Therefore, certification in accordance with 37 CFR §1.97(e) is included herein.

The patents and publications listed on Form PTO-1449 were cited in the European Search Report mailed not more than three months ago in a counterpart European patent application. A copy of the European Search Report is enclosed.

Additionally, submitted herewith is a credit card payment form for the fee of \$180.00 which is the IDS processing fee under 37 CFR §1.17(p). Should any additional fee be required by the filing of this statement, please charge such fee to Deposit Account No. 06-1358. A duplicate copy of this paper is enclosed.

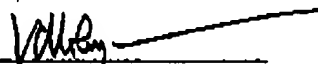
CERTIFICATION

It is hereby certified that the first citation of any item(s) by a foreign patent office in a counterpart foreign application was not made, in any communication from the foreign patent office, more than three months prior to the filing of this statement.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: _____


John C. Holman
Registration No. 22,769

400 Seventh Street, N.W.
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(202) 638-6666

Date: June 16, 2004.
JCH/JC/clc

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Phone: (202) 638-6666

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

APPLICANT: COOK GROUP ART UNIT: 1616
SERIAL NO.: 09/936,291 ATTY. DOCKET NO.: P67120US0
FILING DATE: January 8, 2002 TODAY'S DATE: June 16, 2004

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE (If Appropriate)
	AA						
	AB						
	AC						

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							(Yes)	(No)
	AD							
	AE							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AF	Williams et al., "Enhancement of in vitro binding and some pharmacological properties of diazepam by a novel anthelmintic agent", <i>Avermectin Bla</i> ", <i>Eur. J. Pharmacol.</i> , Vol. 56, pages 273-276, XP002274490
	AG	Ammendola et al., "Enhancement of some pharmacological properties of diazepam and pentobarbital by avermectin bla", <i>Res. Comm in Psychology Psychiatry and Behavior</i> , Vol. 17, No. 3, 1992, pages 133-146, XP009028073
	AH	Kyriakis et al., "Thin sow syndrome. The effect of amperozide", <i>Br. Vet. J.</i> , Vol. 146, 1990, pages 463-367, XP009028077
	AI	Lanusse et al., "Enhancement of the plasma concentration of albendazole sulphoxide in sheep following coadministration of parenteral netobimin and liver oxidase inhibitors", <i>Res. In Vet Sci.</i> , Vol. 51, 1991, pages 306-312, XP009028071
	AJ	Wang Shuwen: "Analgesics suitable for tumour treatment", <i>Database WPI</i> , Derwent Publications Ltd., Class B05, AN 2002-395184, XP002274491
	AK	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).